

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Blue Spike, LLC,

Plaintiff,

V.

Texas Instruments, Inc., et al.,

Defendants.

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

**NOTICE OF MOOTNESS OF DEFENDANT AXXONSOFT LTD'S
PENDING MOTION TO DISMISS (DKT. 645)**

Plaintiff Blue Spike, LLC hereby provides notice to the Court that Defendant Axxonsoft Ltd.'s Motion to Dismiss Pursuant to Rule 12(b)(2) and 12(b)(3), or alternatively, Pursuant to Rule 12(b)(6) (Dkt. 645) is moot in light of Blue Spike filing a First Amended Complaint (Dkt. 922) against the Defendant.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this day.

/s/ Randall T. Garteiser

Randall T. Garteiser